



CITY of CALABASAS

September 30, 2016

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

52 November 15, 2016

Ms. Lori Glasgow  
Executive Officer  
Los Angeles County Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Room 383  
Los Angeles, CA 90012

LORI GLASGOW  
EXECUTIVE OFFICER

RE: City of Calabasas Ordinance No. 2013-339 – Election Date Change

Dear Ms. Glasgow:

Pursuant to Senate Bill 415 (SB 415), at their September 28, 2016, meeting the Calabasas City Council adopted attached Ordinance No. 2016-339, changing the date of its Local Municipal Election to the first Tuesday after the first Monday in November of even-numbered years to comply with the California Voter Participation Rights Act.

Per Elections Code Section 10403.5 (a) (1), any city ordinance requiring its general municipal election to be held on a day specified in subdivision (b) of Section 1301 shall be approved by the Board of Supervisors unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled.

Ordinance No. 2016-339 is being submitted for Board of Supervisors' approval.

Please advise when you expect this to go before the Board of Supervisors.

Regards,

Maricela Hernandez, MMC  
City Clerk

/mh

Attachments

**ORDINANCE NO. 2016-339**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, AMENDING CALABASAS MUNICIPAL CODE SECTIONS 1.04.010 AND 1.04.020, CHANGING THE DATE OF THE GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER 2018.**

**WHEREAS**, the general municipal elections of the City of Calabasas, California (City) are currently held on the first Tuesday after the first Monday in November of alternating odd-numbered years to elect five members of City Council (staggered terms); and

**WHEREAS**, beginning January 1, 2018, Senate Bill 415 (SB 415), the California Voter Participation Rights Act, prohibits a local government, such the City from holding an election other than on a statewide election date if holding an election on a non-concurrent date has previously resulted in a significant decrease in voter turnout (i.e., at least 25% less than the average voter turnout within the city for the previous four statewide general elections); and

**WHEREAS**, as the City has experienced a significant decrease in voter turnout (-22.96% less than the average voter turnout), the City has determined that, in accordance with SB 415, it must begin conducting its general municipal elections on statewide general election dates); and

**WHEREAS**, Elections Code Sections 1301 and 10403.5 authorize the City to change the date of its general municipal election to coincide with the date of a statewide general election); and

**WHEREAS**, the City Council wishes to consolidate its elections with the statewide general election conducted by the County of Los Angeles on the first Tuesday after the first Monday in November of even-numbered years beginning in November 2018); and

**WHEREAS**, pursuant to Elections Code Section 10403.5(b), and in order to accomplish the change in election date, the terms of all current incumbent City Councilmembers shall be increased by no more than 12 months (one year) as follows:

A. Those City Councilmembers whose terms of office would have, prior to the adoption of this Ordinance, expired following the November 2017, general

municipal election shall, instead, continue in their offices until certifications of the results and administration of the oaths of office after the November 2018 City election.

B. Those City Councilmembers whose terms of office would have, prior to the adoption of this Ordinance, expired following the November 2019, general municipal election shall, instead, continue in their offices until certifications of the results and administration of the oaths of office after the November 2020 City election; and

**WHEREAS**, pursuant to Elections Code Section 10403.5(e), within 30 days after the Ordinance becomes operative, the City Elections Official shall cause a notice to be mailed to all registered voters, within the City, informing the voters of the change in the election date and the extended terms of the current elected City Councilmembers.

**WHEREAS**, the adoption of this Ordinance shall cancel the City's November 7, 2017, general municipal election and set the next general municipal election of the City on November 6, 2018, and every election thereafter on the first Tuesday after the first Monday in November of even-numbered years.

**THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Section 1.04.010 of the Calabasas Municipal Code is hereby amended to read as follows:

**1.04.010 Election Date.**

General municipal elections shall be conducted on the first Tuesday after the first Monday in November of even-numbered years.

**SECTION 2.** Section 1.04.020 of the Calabasas Municipal Code is hereby amended to read as follows:

**1.04.020 - Effect on existing terms of office.**

B. Twelve (12) months means the period between the day upon which the term of office otherwise would have commenced and the first Tuesday after the first Monday in November of the even-numbered year in which the election is held, inclusive.

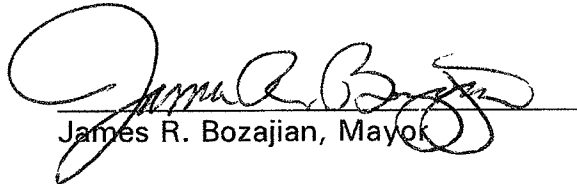
**SECTION 3. SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any

person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of Calabasas hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect only after both thirty days have elapsed after its adoption and upon approval by the Los Angeles County Board of Supervisors.

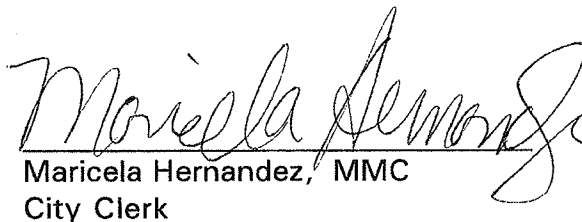
**SECTION 5. CERTIFICATION.** The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law and transmitted to the Board of Supervisors for consideration.

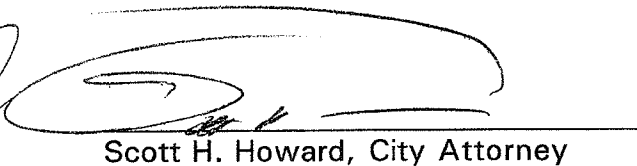
**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of September, 2016.

  
James R. Bozajian, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Maricela Hernandez, MMC  
City Clerk

  
Scott H. Howard, City Attorney

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

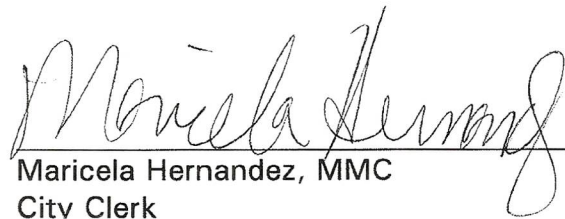
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2016-339** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 14<sup>th</sup> day of September, 2016 and adopted and passed by said Council at a regular meeting held on the 28<sup>th</sup> day of September, 2016 by the following vote:

AYES:       Mayor Bozajian, Councilmembers Gaines, Shapiro and Weintraub.

NOES:       Mayor pro Tem Maurer.

ABSTAIN:   None.

ABSENT:    None.

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk

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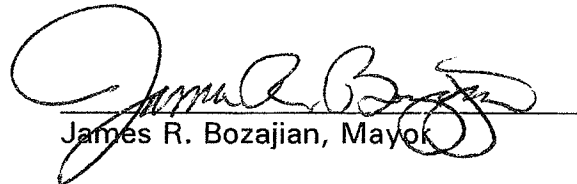
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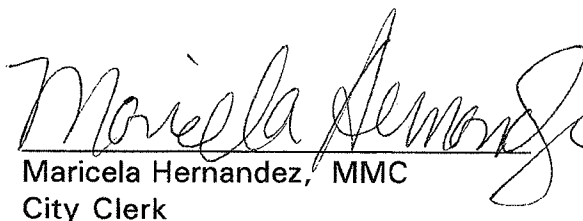
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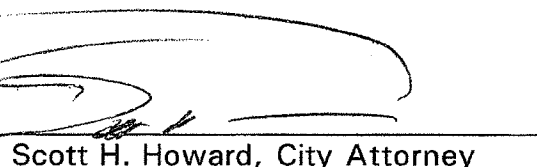
**PASSED, APPROVED AND ADOPTED** this 28<sup>th</sup> day of September, 2016.

  
James R. Bozajian, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Maricela Hernandez, MMC  
City Clerk

  
Scott H. Howard, City Attorney



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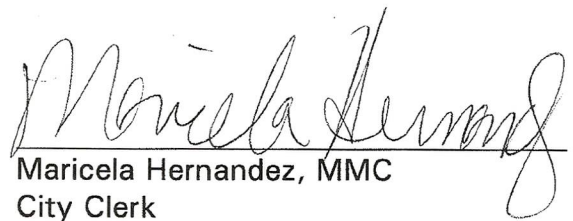
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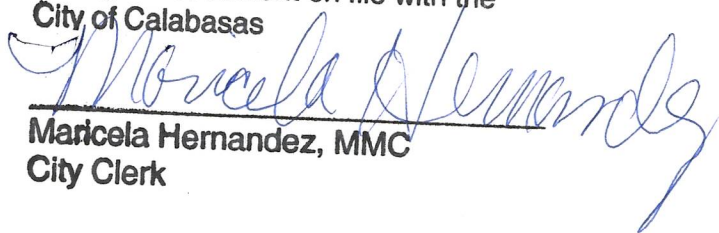
NOES:       Mayor pro Tem Maurer.

ABSTAIN:   None.

ABSENT:    None.

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
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